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*Attorneys for Petitioners*

STATE OF INDIANA	)	BEFORE THE U.S. DEPARTMENT OF
	)	TRANSPORTATION
COUNTIES OF DAVIESS,	)	
DUBOIS, KNOX, MARTIN,	) SS:	
AND PIKE	)	
BOARD OF COMMISSIONERS,	)	
FOR DAVIESS, DUBOIS, KNOX,	)	
MARTIN, AND PIKE COUNTIES,	)	
	)	
Petitioners.	)	

**JOINT PETITION TO CHANGE TIME ZONES FROM  
CENTRAL TO EASTERN**

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Come now the Boards of Commissioners of Daviess, Dubois, Knox, Martin, and Pike Counties, Indiana, the duly elected executives of said Counties ("Petitioning Counties"), and by counsel hereby petition the United States Department of Transportation ("USDOT") to permit them to move from the Central Time Zone to the Eastern Time Zone, and in support of their Petition, respectfully submit the following supporting information:

**I.**

**INTRODUCTION**

It is essential to the economic growth of the Petitioning Counties that they be moved together from the Central Time Zone to the Eastern Time Zone. Located at the crossroads of the United States near the geographic center of North America and the median center of the U.S. population, the five Petitioning Counties have close economic, transportation, social, and cultural connections with each other and to the cities, counties, and states that are already on Eastern Time. In short, the Petitioning Counties are already oriented east, and putting them all back on Eastern Time would merely reflect this orientation.

In the spring of 2005, the Indiana Legislature determined that the entire state of Indiana would begin to observe Daylight Savings Time ("DST"), and that each of the 92 counties within the state should decide for themselves which time zone they would prefer to be in. The five Petitioning Counties all requested that they be placed on Central Time, and on January 18, 2006, the USDOT honored that request by placing Daviess, Dubois, Knox, Martin, and Pike Counties in the Central Time Zone.

Since the January ruling, however, a groundswell of support has emerged for returning all of these counties to Eastern Time. This groundswell is by and large a product of experience: residents and businesses in the Petitioning Counties have been inconvenienced in ways they could not have fully appreciated until the switch to Central Time actually occurred. For instance, the Petitioning Counties are now in a different time zone than the major mail sorting facility that serves them, which has complicated delivery schedules, and a major military base has been

bisected by the new time zone boundary, which has unnecessarily complicated operations essential to homeland defense. This not only creates confusion, it hampers economic growth. Businesses in the Petitioning Counties have in effect lost four hours of each day that they can deal with customers and suppliers in the Eastern Time Zone: one hour in the morning, two hours at lunch (since lunch hours in the time zones do not overlap), and one hour at the end of the day. Moreover, the predominant modes of public transportation (air, bus, and rail) already are all oriented toward areas in the Eastern Time Zone, which complicates shipping schedules and business travel. Therefore, believing that the "convenience of commerce" would in fact be served best by being in the Eastern Time Zone, the Presidents of each of the Boards of County Commissioners are once again petitioning the USDOT for a change of time zone designation.

The original petitions submitted to the USDOT last year were, quite frankly, incomplete and conclusory; the information they contained was limited and largely based on opinion not backed by substantial and verifiable evidence. The instant Petition, in contrast, represents the most thorough and comprehensive research to date on this issue. The evidence that has been gathered demonstrates convincingly that the request of the Petitioning Counties should be granted, and that they should be transferred—as a unit—back to the Eastern Time Zone.

## II.

### ANALYSIS

The Secretary of Transportation is vested by statute with authority to modify time zone boundaries in the United States. *See* 15 U.S.C. § 261. In exercising that authority, the Secretary is to consider "the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce . . . ." *Id.* To that end the USDOT asks that petitioners seeking to change time zones address a series of eight questions. The following analysis is organized by those eight questions, with a discussion of some additional considerations at the end.

1. *From where do businesses in the community get their supplies, and to where do they ship their goods or products?*

The Indiana Chamber of Commerce has compiled a list of key statistics on this issue. They demonstrate that it is better, on the whole, for the Petitioning Counties to be in the Eastern Time Zone:

- ✓ Eastern DST is the destination of over 1/3 of Indiana's exports, whereas only 1/4 of all Indiana's exports had a final destination in Central DST.
- ✓ Eastern DST is the point of origin of over 1/2 of all Indiana's imports, whereas less than 1/2 of all Indiana imports had a point of origin in Central DST.
- ✓ \$197.7 million in tangible business was done between Indiana businesses and businesses in states that observe Eastern DST, whereas \$134 million in tangible business was done between Indiana businesses and businesses in states that observe Central DST.

- ✓ 60.9% (or \$113.7 million) of these Indiana exports came from states that observe Eastern DST, whereas 39.1% (or \$73 million) of these Indiana exports went to states that observe Central DST.
- ✓ 58% (or \$84 million) of these Indiana imports came from states that observe Eastern DST, whereas 42% (or \$60.9 million) of these Indiana imports came from states that observe Central DST.

See Exhibits pp. 1-2.

Individuals and small businesses in the Petitioning Counties depend on Wal-Mart Stores and Supercenters for many of their goods and supplies. Daviess, Dubois, and Knox Counties have Wal-Marts of their own, and the nearest Wal-Mart for residents in Martin and Pike Counties is in Daviess County. *See id.* at pp. 3-15. Therefore, if the Petitioning Counties are put on Eastern Time, all of the nearest Wal-Marts for residents in the Petitioning Counties would be on Eastern Time.

COUNTY	MILEAGE TO NEAREST WAL-MART <sup>1</sup>	CITY AND COUNTY OF NEAREST WAL-MART	TIME ZONE IF PETITION IS GRANTED
Daviess	Within County	Washington/Daviess	Eastern
Dubois	Within County	Jasper/Dubois	Eastern
Knox	Within County	Vincennes/Knox	Eastern
Martin	13 mi.	Washington/Daviess	Eastern
Pike	13 mi.	Washington/Daviess	Eastern

#### A. Daviess County

Ron Arnold, the Executive Director of the Daviess County Economic Development Corporation, reports that businesses in Daviess County uniformly desire to be on Eastern Time.<sup>2</sup> The top businesses and industries in Daviess County ship most of their products into the Eastern Time Zone. Likewise, most of the major businesses in Daviess County receive their supplies from the Eastern Time Zone. For example, Wal-Mart has a major distribution center in Seymour, Indiana (Jackson County), which is in the Eastern Time Zone.

<sup>1</sup> The mileage figures in this chart were obtained from the "Store Finder" on Wal-Mart's website: [www.walmart.com](http://www.walmart.com). All of the websites cited in this Petition were last visited by the undersigned counsel on August 9, 2006.

<sup>2</sup> The undersigned counsel conducted a telephone interview with Mr. Arnold on August 1, 2006.

## **B. Dubois County**

The major employers in Dubois County, with the exception of the county's regional hospital, are manufacturers who ship engines (Jasper Engines and Transmissions<sup>3</sup>), office furniture (Kimball International<sup>4</sup> and JOFCO<sup>5</sup>), and kitchen cabinets (MasterBrand Cabinets<sup>6</sup>) to customers all over North America and throughout the world. *See Exhibits pp. 16-17.*<sup>7</sup> Most of these products are shipped to major metropolitan areas up and down the East Coast. *See id.* The majority of suppliers are likewise located in, or are in areas petitioning to be in, the Eastern Time Zone. *See id.* Jasper companies do have many customers and suppliers in the Midwest and South, which are mostly on Central Time, but the dollar volume of commerce in the county is driven by customers and suppliers in the Eastern Time Zone. *See id.*

## **C. Knox County**

Gary Gentry, the President of the Knox County Development Corporation, reports that FIA Corporation (Futaba Indiana of America)<sup>8</sup> has built a new manufacturing facility in Knox County to produce internal door frames for Toyota's Princeton, Indiana plant.<sup>9</sup> FIA also ships products to Georgetown, Indiana (in the Eastern Time Zone). Most of the coal mined in Knox County is used to supply power plants in the southwest Indiana region. Gemtron/Schott, a glass manufacturer, ships products all over the United States, and it receives raw materials via New Orleans.<sup>10</sup> Superior Essex manufacturers wire for the telecommunications industry, which is also shipped throughout the United States.<sup>11</sup>

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<sup>3</sup> More information about Jasper Engines and Transmissions can be found at its website: [www.jasperengines.com](http://www.jasperengines.com).

<sup>4</sup> Kimball's website address is [www.kimball.com](http://www.kimball.com).

<sup>5</sup> JOFCO's website address is [www.jofco.com](http://www.jofco.com).

<sup>6</sup> MasterBrand's website address is [www.masterbrand.com/masterbrand.com/index.htm](http://www.masterbrand.com/masterbrand.com/index.htm).

<sup>7</sup> The Directors of the Jasper and Huntingburg Chambers of Commerce, Nancy Eckerle and Cristine Pryor respectively, worked together in compiling much of this information for Dubois County.

<sup>8</sup> FIA's website address is [www.futabaindiana.com](http://www.futabaindiana.com).

<sup>9</sup> The undersigned counsel conducted a telephone interview with Mr. Gentry on August 2, 2006.

<sup>10</sup> Schott's website address is [www.us.schott.com/english/index.html](http://www.us.schott.com/english/index.html).

<sup>11</sup> Superior Essex's website address is [www.superioressex.com](http://www.superioressex.com).

#### **D. Martin County**

Jim Schonberger, the business relations manager for EG&G Crane Operations which is located at the Naval Surface Warfare Center at Crane, Martin County is primarily rural.<sup>12</sup> Crane is the largest employer in the county by far, employing approximately 5,000 government and contract workers. Crane ships its products to naval commands throughout the United States. Crane's two largest customers, however, are Naval Sea Systems Command located in Washington, D.C., and the Naval Air System Command located in Lexington Park, Maryland, both of which are on Eastern Time. More information on Crane can be found below under Question 7.

Jerry Ott, the Executive Director of the Martin County Economic Development Corporation, reports that United States Gypsum Company<sup>13</sup> and National Gypsum<sup>14</sup> are the next largest businesses in Martin County after Crane.<sup>15</sup> These two companies mine gypsum and then use the mineral to make wallboard, which they ship to five or six states that surround Indiana.

#### **E. Pike County**

Pike County's economy is primarily based on coal mining. Vigo Coal Company, Indianapolis Power & Light Company, and Five Star Mining Company are three of the largest employers in the County. *See Exhibits p. 18.* While a portion of the mined coal is used by the two power generation facilities (Indianapolis Power & Light and Hoosier Energy) operating within the county, coal is also shipped to other end users both within and outside of the region. *See id.* at p. 19. The bulk of electricity generated by these plants is consumed outside of the area. *See id.* The headquarters for both Indianapolis Power & Light and Hoosier Energy are located in the Eastern Time Zone, as are the other generating plants that they operate. *See id.*

#### **2. From where does the community receive television and radio broadcasts?**

The Petitioning Counties depend on local and regional electronic and print media for their community news, weather, sports, and agricultural updates. The majority of the Petitioning Counties—Knox, Daviess, and Martin—are in the Terre Haute Designated Market Area (“DMA”), and Terre Haute is in the Eastern Time Zone.<sup>16</sup> *See Exhibits p. 22.* Although Pike

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<sup>12</sup> The undersigned counsel for the Petitioning Counties conducted a telephone interview with Mr. Schonberger on August 1, 2006.

<sup>13</sup> More on U.S. Gypsum can be found at the following Internet address: [www.usg.com/about/factsheets/corpfactsheet\\_united.jsp](http://www.usg.com/about/factsheets/corpfactsheet_united.jsp).

<sup>14</sup> National Gypsum's website address is [www.nationalgypsum.com](http://www.nationalgypsum.com).

<sup>15</sup> The undersigned counsel for the Petitioning Counties conducted a telephone interview with Mr. Ott on August 1, 2006.

<sup>16</sup> A “DMA,” a term coined by Nielsen Media Research, is equal to the reach of television station broadcast signals that attract the most viewers within a DMA. *See Exhibits p. 22.*

and Dubois Counties are part of the Evansville DMA<sup>17</sup>, *see id.* at p. 23, their strongest AM and FM radio signals are either from local stations or stations that are already located in the Eastern Time Zone. *See* radio signal charts below. Likewise, Pike and Dubois Counties receive many of their television signals from local or Eastern Time Zone stations. *See* TV signal chart below. Therefore, when the totality of the evidence is weighed, the convenience of commerce is best served by moving all of the Petitioning Counties, including Pike and Dubois, into the Eastern Time Zone.

#### A. Radio

Residents and businesses in the Petitioning Counties depend on radio stations broadcasting out of local or Eastern Time Zone locations for information on school closings and other emergencies, including weather and road conditions. These stations also offer local news, agricultural programs, and broadcasts of college games from Indiana's three major universities (Indiana, Purdue, and Notre Dame, all of which are in the Eastern Time Zone) and professional sports (Colts football and Pacers basketball, both of which are based in Indianapolis and thus on Eastern Time as well). Every station, AM and FM, with the strongest signals in these areas (except for two) is already in, or is petitioning to be, in the Eastern Time Zone.

#### AM RADIO SIGNALS<sup>18</sup>

COUNTY	STRONGEST AM SIGNALS	CITY AND COUNTY WHERE STATION IS LOCATED	TIME ZONE IF PETITION IS GRANTED
Davies	WAMW	Washington/Dubois	Eastern
	WIBC	Indianapolis/Marion	Eastern
	WHAS	Louisville/Kentucky	Eastern
Dubois	WHAS	Louisville/Kentucky	Eastern
	WITZ	Jasper/Dubois	Eastern
	WIBC	Indianapolis/Marion	Eastern
Knox	WAOV	Vincennes/Knox	Eastern
	WAKO	Lawrenceville/Illinois	Central
	WIBC	Indianapolis/Marion	Eastern
Martin	WHAS	Louisville/Kentucky	Eastern
	WIBC	Indianapolis/Marion	Eastern
	WGCL	Bloomington/Martin	Eastern
Pike	WHAS	Louisville/Kentucky	Eastern
	WIBC	Indianapolis/Marion	Eastern
	WGBF	Evansville/Vanderburgh	Central

<sup>17</sup> Evansville is in the Central Time Zone.

<sup>18</sup> The sources for this information can be found at Exhibits pp. 24-25, 27-30, 32, 34-35. The information provided in this chart is for the first three stations as listed by City-Data.com.

## FM RADIO SIGNALS<sup>19</sup>

COUNTY	STRONGEST FM SIGNALS	CITY AND COUNTY WHERE STATION IS LOCATED	TIME ZONE IF PETITION IS GRANTED
Daviess	WBHW	Loogootee/Martin	Eastern
	WYFQ	Washington/Daviess	Eastern
	WWBL	Washington/Daviess	Eastern
Dubois	WYFQ	Jasper/Dubois	Eastern
	WKJR	Jasper/Dubois	Eastern
	WBDC	Huntingburg/Dubois	Eastern
Knox	WVUB	Vincennes/Knox	Eastern
	WZDM	Vincennes/Knox	Eastern
	WFML	Vincennes/Knox	Eastern
Martin	WRZR	Loogootee/Martin	Eastern
	WBHW	Loogootee/Martin	Eastern
	WITZ	Jasper/Dubois	Eastern
Pike	WBHW	Loogootee/Martin	Eastern
	WBTO	Petersburg/Pike	Eastern
	WVUB	Vincennes/Knox	Eastern

### B. Television

Residents in the Petitioning Counties rely heavily on local television stations for their news and weather; various alerts, such as Amber Alerts, Civil Emergency Alerts (via the Civil Emergency Service), and Emergency Alerts (via the Emergency Alert System); announcements regarding community events, church services, and high school sports; and other local programming. The National Weather Service Center ("NWS") for most of the Petitioning Counties—Daviess, Knox, and Martin—is in Indianapolis, which is in the Eastern Time Zone. The NWS for Dubois County is in Louisville, Kentucky, which is also in the Eastern Time Zone. Of the Petitioning Counties, only Pike has a NWS located in the Central Time Zone (Paducah, Kentucky).<sup>20</sup>

Because Pike and Dubois Counties are located on the fringe of the Evansville DMA, *see* Exhibits p. 23, residents in these counties also receive signals from stations in the Eastern Time Zone city of Terre Haute and from Vincennes, which is in Knox County. These counties are served by various cable systems and a variety of satellite systems, as well, which for the most offer programming that is not time-zone specific.

<sup>19</sup> The sources for this information can be found at Exhibits pp. 37-46. This information is for the first three stations with the strongest signals as listed by Radio-Locator.com. *See also* Exhibits pp. 25, 28, 30, 32, 35 (FM stations as reported by City-Data.com).

<sup>20</sup> The NWS Centers for these counties can be confirmed at the National Weather Service's website: [www.nws.noaa.gov](http://www.nws.noaa.gov).



## TV SIGNALS<sup>21</sup>

COUNTY	TV SIGNAL	CITY AND COUNTY WHERE STATION IS LOCATED	TIME ZONE IF PETITION IS GRANTED
Daviess	WVUT	Vincennes/Knox	Eastern
	WBAK	Terre Haute/Vigo	Eastern
	WJTS	Jasper/Dubois	Eastern
Dubois	WJTS	Jasper/Dubois	Eastern
	WNIN	Evansville/Vanderburgh	Central
	WTVW	Evansville/Vanderburgh	Central
Knox	WVUT	Vincennes/Knox	Eastern
	WTWO	Terre Haute/Vigo	Eastern
	WBAK	Terre Haute/Vigo	Eastern
	WTHI	Terre Haute/Vigo	Eastern
Martin	WTIU	Bloomington/Martin	Eastern
	WJTS	Jasper/Dubois	Eastern
Pike	WVUT	Vincennes/Knox	Eastern
	WTVW	Evansville/Vanderburgh	Central
	WNIN	Evansville/Vanderburgh	Central
	K55HL	Cape Gerardo/Missouri	Central
	WJTS	Jasper/Dubois	Eastern

\* \* \* \* \*

Given that most of the radio and television stations that cover local news and weather in the Petitioning Counties are either located within the Petitioning Counties themselves or are in counties that are already in the Eastern Time Zone, the convenience of commerce is best served by granting this Petition and moving Daviess, Dubois, Knox, Martin, and Pike Counties together to Eastern Time.

### 3. *Where are the newspapers published that serve the community?*

The Petitioning Counties are served by both the *Indianapolis Star* and the *Evansville Courier & Press*. These papers have a total circulation in the Petitioning Counties (including the daily and Sunday editions) of 4,251<sup>22</sup> and 12,740<sup>23</sup>, respectively. See Exhibits pp. 48-49. These papers, however, almost exclusively focus on national news and news particular to their cities.<sup>24</sup>

<sup>21</sup> The sources for this information can be found at Exhibits pp. 25-26, 28, 30-33, 35-36, 47.

<sup>22</sup> The *Indianapolis Star* is not delivered in Pike County.

<sup>23</sup> The *Evansville Courier & Press* is not delivered in Martin County.

<sup>24</sup> The websites for these papers can be found at the following addresses: [www.indystar.com](http://www.indystar.com) and [www.courierpress.com](http://www.courierpress.com).

For local news, residents of the Petitioning Counties rely on other papers published in or adjacent to their own counties—all of which are already in or are petitioning to be in the Eastern Time Zone.

#### LOCAL NEWSPAPERS<sup>25</sup>

COUNTY	LOCAL NEWSPAPERS SERVING THE COUNTY AND CIRCULATION FIGURES	COUNTY OF PUBLICATION	TIME ZONE IF PETITION IS GRANTED
Daviess	<i>Vincennes Sun-Commercial</i> (33)	Knox	Eastern
	<i>Midweek</i> (240)	Dubois	Eastern
	<i>Washington Times-Herald</i> (6,459)	Daviess	Eastern
	<i>Washington Extra</i> (3,393)	Daviess	Eastern
	<i>Herald</i> (18)	Dubois	Eastern
Dubois	<i>Herald</i> (11,025)	Dubois	Eastern
	<i>Paoli News Republican</i> (400) <sup>26</sup>	Orange	Eastern
	<i>Huntingburg Press</i> (1,181) <sup>27</sup>	Dubois	Eastern
	<i>Ferdinand News</i> (3,100) <sup>28</sup>	Dubois	Eastern
	<i>Bedford Times-Mail</i> (negligible) <sup>29</sup>	Lawrence	Eastern
Knox	<i>Vincennes Sun-Commercial</i> (8,065)	Knox	Eastern
Martin	<i>Midweek</i> (2,265)	Dubois	Eastern
	<i>Bedford Times-Mail</i> (negligible)	Lawrence	Eastern
	<i>Washington Times-Herald</i> (2,204)	Daviess	Eastern
	<i>Washington Extra</i> (2,627)	Daviess	Eastern
	<i>Herald</i> (61)	Dubois	Eastern

<sup>25</sup> Unless otherwise noted, the information contained in this chart can be found at Exhibits pp. 50-54.

<sup>26</sup> Circulation information was obtained by the undersigned counsel on August 1, 2006, in a telephone interview with Melissa Wiseman, the paper's advertising manager.

<sup>27</sup> The circulation statistics for the *Huntingburg Press* were confirmed by the undersigned counsel on August 2, 2006, via a telephone interview with a member of the circulation department. Circulation in Knox and Martin Counties is "very light," and in Pike and Daviess Counties it is "light."

<sup>28</sup> The circulation statistics for the *Ferdinand News* were confirmed by the undersigned counsel on August 2, 2006, via a telephone interview with a member of the circulation department.

<sup>29</sup> The circulation statistics for the *Bedford Times-Mail* were confirmed by the undersigned counsel on August 2, 2006, via a telephone interview with a member of the circulation department. This paper primarily circulates in Lawrence County, which is on Eastern Time.

Pike	<i>Vincennes Sun-Commercial (34)</i>	Knox	Eastern
	<i>Midweek (1,120)</i>	Dubois	Eastern
	<i>Washington Times-Herald (322)</i>	Daviess	Eastern
	<i>Herald (327)</i>	Dubois	Eastern
	<i>Press-Dispatch (3,563)</i>	Pike	Eastern

\* \* \* \* \*

Given that residents in the Petitioning Counties receive their local news from papers in or adjacent to their own counties, it best serves the convenience of commerce if all of the Petitioning Counties are transferred together to the Eastern Time Zone.

4. *From where does the community get its bus and passenger rail services; if there is no scheduled bus or passenger rail service in the community to where must residents go to obtain these services?*

**A. Bus Service**

Greyhound bus stations are located in Indianapolis, Terre Haute, and Louisville (all of which are in the Eastern Time Zone), and in Evansville (which is in the Central Time Zone). *See* Exhibits p. 55 (route map from Greyhound.com). While the Evansville station is relatively close for residents in parts of the Petitioning Counties, it only offers transportation to western and southern routes. *See id.* The Terre Haute station, by contrast, offers connections to southwest destinations and to the northwest junction point in Indianapolis, which in turn provides service to all destinations. *See id.* The Louisville station similarly offers transportation to north, northeast, and southern destinations. *See id.*

Given that three of the four nearest major bus stations are on Eastern Time, the citizens of the Petitioning Counties are best served by being transferred together to Eastern Time.

**B. Rail Service**

According to the 2005 Indiana Rail System Map, three of the Petitioning Counties—Daviess, Knox, and Martin—are served by a major east-west CSX rail line that connects with southern Indiana's main north-south lines, which carry rail traffic either (a) north to Indianapolis or Terre Haute (both on Eastern Time), or (b) south to Evansville (on Central Time). *See* Exhibits p. 56. One of these major north-south lines (owned by the Indiana Southern Railroad) runs through two of the Petitioning Counties, Daviess and Pike, and on to Indianapolis or Evansville. *See id.* A major east-west railroad (owned by Norfolk Southern) also runs through Pike and Dubois Counties, and carries goods east through several other southern Indiana counties, terminating in Jeffersonville (on Eastern Time and located just minutes north of Louisville, Kentucky). *See id.*

Taken together, then, rail traffic in the Petitioning Counties currently has easy access to: (a) the two major Eastern Time Zone cities in the vicinity (Indianapolis and Louisville) and (b) two of the three moderately-sized cities in the vicinity that are on Eastern Time (Terre Haute and Jeffersonville). The only city in the Central Time Zone that the Petitioning Counties have a

direct link to is Evansville, a moderately-sized city. Therefore, given that most of the existing major junction and division points for common carriers where goods can be transferred to other parts of the United States are located in the Eastern Time Zone, it would best serve the convenience of commerce to place all of the Petitioning Counties on Eastern Time.<sup>30</sup>

5. *Where is the nearest airport; if it is a local service airport, to what major airport does it carry passengers?*

The region is served by three major airports, one in Central Time (Evansville) and two in Eastern Time (Indianapolis and Louisville). While the Evansville airport is closest for some residents in some parts of the Petitioning Counties, it offers the least number of daily departures (only about 35), and in many instances these flights are not direct flights but connections to Indianapolis or Louisville. *See Exhibits p. 57.*

Indianapolis International Airport is the busiest airport in Indiana. With 18 airlines providing service to the airport, including nonstop and direct flights to more than 100 destinations, Indianapolis is one of the top jumping-off points for air travelers from the Petitioning Counties. *See id.* at p. 58. Louisville International Airport draws travelers within a 200-mile radius of the city. *See id.* at p. 59. The airport has nonstop service to 25 destinations and same-plane service to an additional 24 cities in 23 states plus Canada, the Bahamas, and the District of Columbia. *See id.* The airport accommodated 3.7 million passengers in 2005. *See id.*

Travel agents who service residents in the Petitioning Counties report that 70 to 75% of their customers fly out of Indianapolis or Louisville, largely for reasons of cost and convenience.<sup>31</sup> Crane military base similarly reports that 80% of its travelers use the Indianapolis airport. *See Exhibits p. 63.* It is more expensive to fly out of Evansville and the airport there offers very few direct connections. *See supra* at n.31.

The planning guidelines for the Federal Aviation Administration's National Plan of Integrated Airport Systems recommend that population centers have adequate access to a suitable aviation facility. *See Exhibits p. 65.* Adequate access is defined to be a 30-minute (or less) drive to an airport facility. *See id.* A 20-mile radius around existing facilities has been used to approximate a 30-minute drive time as a statewide average, as shown on the 30-minute drive time map. *See id.* at pp. 65-66. The map shows that adequate access is served by including Knox, Daviess, and Greene in one 30-minute drive time; Pike, Spencer, and Dubois in another 30-minute drive time; and Lawrence, Orange, Dubois, Martin, and Crawford in a third 30-minute drive time. *See id.* at p. 66. All of these counties except Crawford and Spencer would be on Eastern Time were this Petition to be granted, thereby putting most of the existing junction

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<sup>30</sup> Additional information about rail service is provided in answer to Question 7, below.

<sup>31</sup> This information was obtained by the undersigned counsel in telephone interviews conducted on August 3, 2006, with Gale Hayden of Executive Travel Service (Knox County) and Pat Wilson of Hoosier Travel (Daviess County). The undersigned counsel also obtained a letter from Angela Mathies of Style Travel (Dubois County). *See Exhibits p. 62.* There appears to be no travel agencies in Martin or Pike Counties.

points and division points of common carriers engaged in interstate or foreign commerce on the same time zone.

Local airports provide county-based businesses with direct air travel access. For example, according to the representative for Dubois County (signature below), that county's major employers, including Kimball International, MasterBrand Cabinets, and Jasper Engines and Transmissions have hangars at the Huntingburg Airport. *See id.* at p. 67. Flights by these companies account for 90% of the 15,000 annual flights logged at the airport. While some of these local airports are in the Central Time Zone, nearly all of the *Indiana*-based local airports would be in the Eastern Time Zone if this Petition is granted.

### AIRPORTS<sup>32</sup>

COUNTY	NEARBY AIRPORTS	COUNTY (OR STATE) WHERE AIRPORT IS LOCATED	TIME ZONE IF PETITION IS GRANTED
Daviess	Owensboro-Daviess County	Kentucky	Central
	Monroe County	Monroe	Eastern
	Terre Haute International-Hulman Field	Vigo	Eastern
	Evansville Regional	Vanderburgh	Central
	Morrison Flight	Greene	Eastern
	O'Neal	Knox	Eastern
Dubois	Huntingburg	Dubois	Eastern
	Daviess County	Daviess	Eastern
	Patoka Reservoir Landing Area	Orange	Eastern
	French Lick Muni.	Orange	Eastern
	Evansville Regional	Vanderburgh	Central
	Monroe County	Monroe	Eastern
Knox	Terre Haute International-Hulman Field	Vigo	Eastern

<sup>32</sup> All information in this chart can be found at Exhibits pp. 68-73.

Knox (cont.)	O'Neal	Knox	Eastern
	Evansville Regional	Vanderburgh	Central
	Owensboro- Daviness County	Kentucky	Central
	Lawrenceville- Vincennes International	Illinois	Central
	Mt. Carmel Muni.	Illinois	Central
Martin	Terre Haute International- Hulman Field	Vigo	Eastern
	Monroe County	Monroe	Eastern
	Evansville Regional	Vanderburgh	Central
	Daviness County	Daviness	Eastern
	French Lick Muni.	Orange	Eastern
	Patoka Reservoir Landing Area	Orange	Eastern
Pike	Daviness County	Daviness	Eastern
	Evansville Regional	Vanderburgh	Central
	Owensboro- Daviness County	Kentucky	Central
	Monroe County	Monroe	Eastern
	O'Neal	Knox	Eastern
	Lawrenceville- Vincennes International	Illinois	Central

The two largest private express package carriers (United Parcel Service and Federal Express) have primary hubs in major metropolitan cities situated in the Eastern Time Zone, namely, Indianapolis and Louisville. See Exhibits pp. 60, 74-76.

## EXPRESS CARRIERS

CARRIER	NEAREST MAJOR AIR HUB/LOCATION	TIME ZONE
FedEx	East Service Center/ Indianapolis	Eastern
UPS	All-Points International/ Louisville	Eastern

\* \* \* \* \*

Air travel, both passenger and cargo, is oriented toward counties that are already in or are petitioning to be in the Eastern Time Zone. The convenience of commerce therefore would best be served by transferring the Petitioning Counties together to the Eastern time Zone.

**6. *What percentage of residents of the community work outside the community; where do these residents work?***

The majority of workers live and work in their home counties. Of those migrating to a Petitioning County for work, the majority come from the Eastern Time Zone. Of those leaving a Petitioning County for work, the majority go to locations in the Eastern Time Zone. Therefore, the convenience of commerce for persons who live and work in their communities and for the majority of commuters who depart their counties for work would best be served if the Petitioning Counties were moved together to the Eastern Time Zone.

**A. *Daviess County***

The total number of commuters who are traveling into Daviess County every day are either coming from one of the other four Petitioning Counties (which desire to be in the Eastern Time Zone) or from Greene County (which is already in the Eastern Time Zone). With respect to those commuters who are leaving Daviess County for work, 2,106 of them are traveling into one of the other Petitioning Counties; only 271 (less than 2%) of these commuters would be traveling from Daviess County into a county in the Central Time Zone (Gibson County). Thus, over 98% of commuters coming into and leaving Daviess County would live in the same time zone that they work in if the Petitioning Counties are moved to Eastern Time.

<b>Commuting Patterns – Top 5 in 2004</b>					
Into Daviess FROM	Number	Percent	Out of Daviess TO	Number	Percent
All Areas	1,723	9.9%	All Areas	2,986	16.0%
Knox County	420	2.4%	Martin County	760	4.1%
Martin County	404	2.3%	Dubois County	648	3.5%
Pike County	225	1.3%	Knox County	455	2.4%
Greene County	149	0.9%	Gibson County	271	1.5%
Dubois County	61	0.4%	Pike County	243	1.3%

Source: Indiana Department of Revenue. See Exhibits p. 91.

## B. Dubois County

Of the five Petitioning Counties, Dubois has the highest influx of commuters every day. Most of these commuters come from Pike County, which is one of the Petitioning Counties. While the second and third largest numbers of commuters into Dubois County come from counties in the Central Time Zone (Spencer and Perry, respectively), the fourth and fifth counties on this list would be or are already on Eastern Time (Martin and Orange, respectively). Thus, a majority of commuters coming from the top five counties would live and work in the same time zone if this Petition is granted.<sup>33</sup>

Relatively few people leave Dubois County to work. The commuters that would remain on Central Time outnumber the commuters from counties that would be on Eastern Time. However, the actual number of people who would leave for work in a Central Time Zone county is actually quite few (884<sup>34</sup>) when compared to the actual number of commuters who travel into Dubois County for work from what would be Eastern Time Zone counties and, thus, who would benefit by the time change (3,055<sup>35</sup>).

Commuting Patterns – Top 5 in 2004					
Into Dubois FROM	Number	Percent	Out of Dubois TO	Number	Percent
All Areas	7,794	22.1%	All Areas	1,885	6.4%
Pike County	1,552	4.4%	Spencer County	481	1.6%
Spencer County	1,539	4.4%	Gibson County	226	0.8%
Perry County	975	2.8%	Vanderburgh County	177	0.6%
Martin County	784	2.2%	Martin County	170	0.6%
Orange County	719	2.0%	Pike County	153	0.5%

Source: Indiana Department of Revenue. See Exhibits p. 99.

## C. Knox County

The highest percentage of commuters coming into Knox County are Illinois residents; the clear majority of the rest, however, come from what all would be counties in the Eastern Time Zone (Daviess, Sullivan, and Greene). Furthermore, a relatively small number of people

<sup>33</sup> The total number of commuters coming from Pike, Martin, and Orange Counties is 3,055. The total number of commuters coming from Spencer and Perry Counties is 2,514.

<sup>34</sup> This number is the total of the commuters leaving Dubois County for work in Spencer, Gibson, and Vanderburgh Counties.

<sup>35</sup> This number is the total of the commuters who travel into Dubois County from Pike, Martin, and Orange Counties.



(just over one thousand<sup>36</sup>) leave the county for what would remain destinations in the Central Time Zone.

<b>Commuting Patterns – Top 5 in 2004</b>					
Into Knox FROM	Number	Percent	Out of Knox TO	Number	Percent
All Areas	3,410	13.7%	All Areas	2,668	11.0%
Illinois	1,393	5.6%	Gibson County	561	2.3%
Daviess County	455	1.8%	Daviess County	420	1.7%
Sullivan County	306	1.2%	Illinois	347	1.4%
Gibson County	267	1.1%	Sullivan County	253	1.0%
Greene County	177	0.7%	Vanderburgh County	176	0.7%

Source: Indiana Department of Revenue. See Exhibits p. 134.

#### **D. Martin County**

All of the commuters from the top five “feeder” counties are traveling from counties that either are petitioning to be in the Eastern Time Zone or are already in the Eastern Time Zone (3,772 total). Likewise, all of the commuters leaving Martin County for the top five destinations are traveling to what would all be Eastern Time Zone counties (1,562 total).

Granting this Petition would make a real difference in the lives of many of these workers. For example, the highest number of workers coming into Martin County are from counties on Eastern Time, which means right now at least 3,012 individuals<sup>37</sup> work in a different time zone than the one in which they live. Transferring Martin County along with the other Petitioning Counties to the Eastern Time Zone would correct this imbalance, and put these people on the same time throughout their day.

<b>Commuting Patterns – Top 5 in 2004</b>					
Into Martin FROM	Number	Percent	Out of Martin TO	Number	Percent
All Areas	4,518	46.9%	All Areas	1,857	26.7%
Lawrence County	1,014	10.5%	Dubois County	784	11.3%
Monroe County	937	9.7%	Daviess County	404	5.8%
Greene County	871	9.0%	Lawrence County	187	2.7%
Daviess County	760	7.9%	Monroe County	104	1.5%
Orange County	190	2.0%	Orange County	83	1.2%

Source: Indiana Department of Revenue. See Exhibits p. 139.

<sup>36</sup> This number is derived by adding the total of the commuters leaving Knox County for Illinois, Gibson County, and Vanderburgh County.

<sup>37</sup> This number is calculated by adding the total of the commuters from Lawrence, Monroe, Greene, and Orange Counties.

### E. Pike County

The majority of commuters traveling into Pike County for work are from three of the Petitioning Counties (Daviess, Knox, and Dubois). The same is true for commuters leaving Pike County for work; most are leaving for the same three counties. Accordingly, if the Petitioning Counties are moved to the Eastern Time Zone, the vast majority of commuters into and out of Pike County would continue to live and work in the same time zone.

Commuting Patterns – Top 5 in 2004					
Into Pike FROM	Number	Percent	Out of Pike TO	Number	Percent
All Areas	1,370	20.4%	All Areas	3,494	39.5%
Gibson County	258	3.8%	Dubois County	1,552	17.5%
Daviess County	243	3.6%	Gibson County	685	7.7%
Knox County	166	2.5%	Vanderburgh County	405	4.6%
Dubois County	153	2.3%	Daviess County	225	2.5%
Illinois	132	2.0%	Knox County	152	1.7%

Source: Indiana Department of Revenue. See Exhibits p. 145.

7. *What are the major elements of the community's economy; is the community's economy improving or declining; what Federal, State, or local plans, if any, are there for economic development in the community?*

The Petitioning Counties are on the periphery of the regional, Evansville-based economy and have stronger economic and cultural connections to each other and the interior counties currently on Eastern Time than they do with the relatively few counties at the southern tip of Indiana on Central Time. Information specific for each of the Petitioning Counties is provided below.

A significant project that will impact the economies of all of the Petitioning Counties in the years ahead is the extension of Interstate 69 ("I-69") between Indianapolis and Evansville. See Exhibits pp. 77-78. Currently, I-69 extends from northeastern Indiana, at the Michigan border, to the northeast side of Indianapolis. See *id.* at p. 77. The completion of the highway through central and southwest Indiana took a significant step forward this spring when Indiana's legislature passed "Major Moves"—a measure that fully funds the state's transportation program for the next decade. See *id.* A portion of the proceeds from Major Moves is dedicated to the I-69 project and allows construction of the highway to begin ten years earlier than originally planned. See *id.*

According to Congressman John Hostettler from Indiana's 8th Congressional District, the extended I-69 corridor will create economic development benefits for southwest Indiana, indeed, for the entire state. See *id.* at pp. 83-85; see also *id.* at pp. 79-81. This includes business expansion, which is sorely needed in southern Indiana. See *id.* It is expected that a total of 4,415 new jobs will be generated, of which 442 will be from the expansion of existing businesses; 585 jobs will be new tourism jobs; and 3,385 will be from new businesses. See *id.* The jobs created in Indiana are expected to generate between \$750 million and \$1 billion in new wages. See *id.*

Extending I-69 will increase sales output in Indiana by more than \$12 billion. *See id.* The I-69 extension will also provide more economical and efficient access to, among other places, the capitol city and center of Indiana government, the Indianapolis International Airport, and important medical facilities in and around Indianapolis. *See id.* at p. 21.

**A. Daviess County**

**1. Major elements of the community's economy**

Key statistics for Daviess County include the following:

✓ Top 5 businesses/industries

1. Perdue Foods, Inc.<sup>38</sup>
2. Grain Processing Corp.<sup>39</sup>
3. Nasco Industries<sup>40</sup>
4. DC Metals<sup>41</sup>
5. K & K Industries<sup>42</sup>

Source: Daviess County Economic Development Corporation. *See Exhibits* pp. 86-87.

✓ Top 6 employers

1. Perdue Foods, Inc. (501-1000 employees)
2. Daviess Community Hospital (251-500 employees)
3. Grain Processing Corp. (101-250 employees)
4. Jones & Sons (101-250 employees)<sup>43</sup>
5. K & K Industries (101-250 employees)
6. Nasco Industries (101-250 employees)

Source: Daviess County Growth Council.<sup>44</sup>

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<sup>38</sup> Perdue Foods, Inc. is a turkey processor. *See* [www.perdue.com](http://www.perdue.com).

<sup>39</sup> Grain Processing Corp. is a manufacturer and marketer of corn-based products. *See* [www.grainprocessing.com](http://www.grainprocessing.com).

<sup>40</sup> Nasco Industries is North America's leading manufacturer of protective all-weather gear. *See* [www.nascoinc.com/company\\_info.htm](http://www.nascoinc.com/company_info.htm).

<sup>41</sup> DC manufactures metal building materials. A website could not be located for DC.

<sup>42</sup> K & K Industries manufactures trusses and rafters. A website could not be located for K & K.

<sup>43</sup> Jones & Sons produces and sells building products, such as ready-mix concrete. *See* [www.jonesandsons.com/js/profile.htm](http://www.jonesandsons.com/js/profile.htm).

<sup>44</sup> Complete employment statistics are available at [www.dmrctc.net/~growth/majempl.html](http://www.dmrctc.net/~growth/majempl.html).

✓ Top 3 retailers

1. Wal-Mart
2. LinCo Services, Inc.<sup>45</sup>
3. Black Buggy<sup>46</sup>

Source: Daviess County Economic Development Corporation. *See Exhibits pp. 86-87.*

✓ Major roads and bridges

1. Highway 57
2. Highway 50/bypass
3. Homer Capehart Bridge
4. Robert Graham Bridge

Source: Daviess County Economic Development Corporation. *See Exhibits pp. 86-87.*

## **2. State of the community's economy**

According to Ron Arnold, Executive Director of the Daviess County Economic Development Corporation, the local economy is improving, but slowly.<sup>47</sup> Unemployment is not high (3.9%)<sup>48</sup>, but there is a substantial population that is underemployed. Mr. Arnold further reports that the county's ability to grow and diversify its economy with high-wage, skilled jobs depends in large measure on eliminating obstacles to progress and leveraging existing assets. Being on Central Time is an obstacle because a preponderance of the economic, social, cultural, and transportation links are connected to the Eastern Time Zone.

## **3. Economic development**

Daviess County has partnered with the local and county redevelopment commissions of Martin County (one of the other Petitioning Counties) and Greene County (which is already on Eastern Time) to create a major technology park called "The West Gate @ Crane."<sup>49</sup> The West Gate offers growth opportunities for Fortune 500 companies and entrepreneurs. A short distance from the Median Center of the U.S. population, The West Gate is easily accessible by road or rail. Two planned interchanges will be within a short distance from the park once I-69 is extended into southern Indiana. (See above for more information on the I-69 extension.)

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<sup>45</sup> LinCo Services is an office-supply store. *See* [www.lincoservices.com](http://www.lincoservices.com).

<sup>46</sup> Black Buggy is a restaurant and general store. *See* [www.blackbuggy.com](http://www.blackbuggy.com).

<sup>47</sup> The undersigned counsel conducted a telephone interview with Mr. Arnold on August 1, 2006.

<sup>48</sup> *See Exhibits p. 90.*

<sup>49</sup> The information in this section on The West Gate is available at [www.westgatecrane.com](http://www.westgatecrane.com), unless otherwise noted. *See also Exhibits p. 127.*

Extraordinary services, amenities, and infrastructure will support tenants, clients, and vendors at The West Gate. Commercial broadband and technical infrastructure will support research operations, product development, and advanced light manufacturing needs.

The West Gate has superb intellectual capital. More than 1,000 scientists, engineers, and technical professionals are included in the 4,000 civilian employees who work at the Crane military facility near the park. (For more information on Crane Naval Base, see below under Martin County.) Cooperative agreements between the military technical facility and major research universities and Fortune 500 companies enable strong commercial links for companies desiring to achieve rapid technology development and deployment. EG&G, a subsidiary of the \$2 billion URS corporation and a Crane-designated omnibus company, is already making plans to lease space in the Daviess County section of The West Gate. Other major companies, including Science Applications International Corporation, *see* Exhibits p. 129, are planning to occupy West Gate facilities. Major universities, including Purdue and Rose-Hulman Institute of Technology, will establish a presence within the park to service clients, cooperative agreements, and the military facility. A state-of-the-art incubator and business accelerator are planned for emerging companies, start-ups, and entrepreneurs. The park is expected to become Indiana's showcase technology facility for intelligent and environmentally balanced development.

The Executive Director of the Daviess County Economic Development Corporation has issued a statement on behalf of the members of the Daviess County Manufacturer Association, stating that local companies representing some 2,000 employees believe that Daviess County should be on Eastern Time. *See id.* at p. 88.

## **B. Dubois County**

### **1. Major elements of the of the community's economy**

Dubois County is primarily rural with a population of approximately 40,000, *see* Exhibits p. 93, located along Interstate 64 approximately 85 miles west of Louisville, Kentucky, 60 miles northeast of Evansville, Indiana, and 120 miles south of Indianapolis, Indiana.<sup>50</sup> Dubois County has traditionally had a strong economy based on a number of locally owned and established businesses that continue to maintain their headquarters within the county as they take their place in the global economy.

Manufacturing employs the greatest number of people working in Dubois County. *See id.* at p. 94. The number employed in manufacturing is more than two times greater than the next industry of trade, transportation and utilities, which is closely followed by education and health services. *See id.* These three industries together employ more than 2/3 of the county's residents. *See id.* Kimball International is the largest employer in the county with approximately 3,000 employees. *See id.* at p. 95. Jasper Engines and Transmissions follows in second place with 1,500 employees. *See id.*

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<sup>50</sup> Mileage was calculated from the City of Jasper in Dubois County using Yahoo! Driving Directions. *See* <http://maps.yahoo.com/dd>.

Dubois County also has a strong presence in the agriculture industry and is the leader in Indiana for total agriculture sales. Nearly 70% of Dubois County's land area is used for agricultural purposes. *See id.* at p. 96. It ranks in the top five for turkey, chicken, and cattle production. *See id.* Most of the farms are family farms averaging 249 acres. *See id.*

Large retailers such as Wal-Mart and Home Depot in Jasper serve Dubois County as well as the counties to the north, west, and east. Both Jasper and Huntingburg have historical downtowns with thriving retail businesses, which attract tourists from Illinois, Indiana, and Kentucky. Smaller retail establishments rely heavily on seasonal Christmas sales and have noted that earlier sundown during Central Time discourages people from shopping in these open-air shopping districts because it is often dark before many people leave work.<sup>51</sup>

## **2. State of the community's economy**

While Dubois County has traditionally had low unemployment, the ever-increasing competition from foreign manufacturers has caused concerns within the community. Since 1998, the unemployment rate in Dubois County has been inching upward (from 1.6% to 3.7%). *See id.* at p. 98. The entrepreneurial spirit and strong work ethic of the county's residents, however, is prompting businesses to look for ways to reduce their manufacturing costs and to distinguish their products in the marketplace.

As area manufacturers look for ways to increase their competitive edge over foreign competition, they have asked that the County Commissioners place Dubois County within the Eastern Time Zone to remain in the same time zone as a significant number of their suppliers and customers. *See id.* at pp. 101-26. County employers have reported that between 60-90% of these relationships are focused in the Eastern Time Zone. *See id.* at pp. 16-17.

## **3. Economic development<sup>52</sup>**

In 2003, community leaders representing local government, business and industry, education, agriculture, healthcare, and not-for-profits created a steering committee to help guide the development of a strategy to assist Dubois County as it faced a changing economy. The strategy adopted in 2004 outlined three primary goals: (1) enhance the ability of established basic employers to compete in the marketplace; (2) recruit new basic employers to Dubois County; and (3) create new opportunities for small business development.

The Dubois County Area Development Corporation ("DCADC") was developed to lead the county in accomplishing the goals set forth in the strategy. DCADC is a private-public partnership with seven elected officials and 11 community leaders as board members. Dubois County is also a member of the Indiana 15 Regional Planning Commission, a quasi-governmental agency that assists local officials to leverage local funds through partnerships with

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<sup>51</sup> This information was obtained by the Jasper and Huntingburg Chambers of Commerce during discussions with local store owners.

<sup>52</sup> All of the information in this section was obtained by the Directors of the Jasper and Huntingburg Chambers of Commerce.

other counties in the region and state and federal agencies including the Indiana Rural Development Council, the Indiana Economic Development Commission, the U.S. Economic Development Administration, and the U.S. Department of Housing and Urban Development. The Commission is dedicated to empowering the communities of Crawford, Dubois, Orange, Perry, Pike, and Spencer Counties to provide a better quality of life through community and economic development. Four of these six counties either are already in or presently desire to be in the Eastern Time Zone (Crawford, Dubois, Orange, and Pike). The Indiana 15 is partially funded through annual federal planning grants as an Economic Development District of the U.S. Department of Commerce.

### **C. Knox County**

#### **1. Major elements of the community's economy**

Vincennes, Knox County's largest city, is a regional hub for shopping, healthcare, and higher education. *See Exhibits p. 130.* Healthcare (the Good Samaritan Hospital) and education (Vincennes University) are the two largest employers in Knox County. *See id.* at p. 131. The next three largest employers are KCARC (textile, finishing, automotive), Gemtron/Schott (glass fabrication), and Vincennes Community School Corporation. *See id.*

#### **2. State of the community's economy**

Local economic indicators show signs of strength and growth. *See id.* at p. 130. The manufacturing sector has experienced 21% growth in job creation since 2001 and average earnings are increasing as well. *See id.* The President of the Knox County Development Corporation ("KCDC") anticipates this growth to continue and does not foresee a shift to the Eastern Time Zone as having a negative impact. *See id.* The county's unemployment rate is average for the state (5%). *See id.* at p. 133.

#### **3. Economic development**

The KCDC is a 185-member not-for-profit development corporation. *See id.* at 130. The KCDC's objective is to strengthen the local economy through job creation and tax base enhancement. *See id.* KCDC is the first contact source for economic development in Knox County Indiana. Its operating budget is largely privately funded. KCDC also receives funding through its contracts with the City of Vincennes and Knox County to provide economic development services. Its mission is "[t]o maintain and improve the quality of life, including environmental concerns, for the citizens of Knox County by developing the overall economy of the county."<sup>53</sup>

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<sup>53</sup> *See* [www.kcdc.com/about.html](http://www.kcdc.com/about.html) for more information about the KCDC.

## D. Martin County

### 1. Major elements of the community's economy

The United States Bureau of Economic Analysis, *see* Exhibits p. 139, reports the following information about Martin County's economy:

Employment and Earnings by Industry in 2004 (NAICS)	Employment	Pct Dist in County	Earnings (\$000)	Pct Dist in County	Avg. Earnings Per Job
<b>Total by place of work</b>	7,910	100.0%	\$496,997	100.0%	\$62,831
<b>Wage and Salary</b>	7,165	90.6%	\$340,513	68.5%	\$47,524
<b>Farm Proprietors</b>	357	4.5%	\$6,256	1.3%	\$17,524
<b>Nonfarm Proprietors</b>	388	4.9%	\$5,580	1.1%	\$14,381
<b>Farm</b>	379	4.8%	\$6,939	1.4%	\$18,309
<b>Nonfarm</b>	7,531	95.2%	\$490,058	98.6%	\$65,072
<b>Private</b>	3,085	39.0%	\$97,237	19.6%	\$31,519
Accommodation, Food Serv.	Data not available due to BEA non-disclosure requirements.				
Arts, Ent., Recreation	Data not available due to BEA non-disclosure requirements.				
Construction	Data not available due to BEA non-disclosure requirements.				
Health Care, Social Serv.	123	1.6%	\$2,551	0.5%	\$20,740
Information	32	0.4%	\$710	0.1%	\$22,188
Manufacturing	563	7.1%	\$26,551	5.3%	\$47,160
Professional, Tech. Serv.	289	3.7%	\$15,886	3.2%	\$54,969
Retail Trade	407	5.1%	\$6,442	1.3%	\$15,828
Trans., Warehousing	302	3.8%	\$10,021	2.0%	\$33,182
Wholesale Trade	85	1.1%	\$3,473	0.7%	\$40,859
Other Private (not above)	583*	7.4%*	\$17,483*	3.5%*	\$29,988*
<b>Government</b>	4,446	56.2%	\$392,821	79.0%	\$88,354

Critically, Martin County is home to the Crane Naval Surface Warfare Center, a unique Department of Defense location with a range of diverse capabilities complemented by Crane's acquisition professionals, material logistics expertise, and the product test ranges on a 100-square mile property with entrances in multiple counties. *See* Exhibits pp. 127-28, 136. One of the entrances is already in the Eastern Time Zone county of Greene. *See id.* at 136. Granting this Petition will put all entrances on the Eastern Time Zone. Some of Crane's key statistics are as follows:

- ✓ Third largest naval installation in the world
- ✓ 100 square miles
- ✓ \$3.3 billion plant replacement value
- ✓ 650,000 tons ordnance storage capacity
- ✓ 13th largest single-site employer and 3d largest employer in Southwest Indiana
- ✓ 2,710 Navy employees and 652 Army employees
- ✓ 60 scientists, engineers, and technicians
- ✓ Over 480 scientists, engineers, and technicians hired since January 1999



Crane's primary customers, such as the Naval Sea Systems Command, are located in the Washington, D.C. area and other locations within the Eastern Time Zone. *See Exhibits p. 127.* Putting the entirety of Crane back on the same time zone as the vast majority of its customers would greatly simplify communications and improve its support of those customers. *See id.*

Currently, 67% of Crane employees live in the Eastern Time Zone and work in the Central Time Zone. *See id.* Due to the large number of employees with children in daycare, after-school programs, or who have church and other evening activities, a reduction in "core business hours" may be necessary if this Petition is not granted. *See id.* This would adversely impact workload execution, as well as delay meetings and decisions that affect the Warfighter. *See id.* This situation would also increase costs due to increased use of personal leave time and absenteeism, the need to extend gate hours and manning, and so on. *See id.*

Materiel shipments by truck, express courier service, and train would also be adversely affected if Crane remains within the Central time zone. *See id.* Crane makes thousands of time-sensitive shipments that are of crucial importance to the Warfighter. *See id.* Missed or late shipments of supplies or products could hurt the mission-readiness of our nation's operational forces. *See id.* 60% of Crane Army Ammunition Activity employees work ten-hour days that start at 6:30 and end at 5:00; these employees do not have the option or availability of a flex schedule. *See id.*

Another prominent area of concern with respect to Crane being located in the Central Time Zone is centered around transportation and lodging for the hundreds of out-of-town visitors that Crane hosts each year. *See id.* The two primary airports used by Crane are Indianapolis and Louisville, both of which are located in the Eastern time zone. *See id.* The primary locations for overnight lodging for Crane's visitors are Bloomington and Bedford, again, both in the Eastern Time Zone. *See id.* Having Crane on a different time from these transportation and lodging locations adds considerable confusion for Crane's visitors when coming to Crane for meetings, and when going to the airport for return flights. *See id.* Crane's employees will also be burdened by the same inconvenience and lost time when using the airports for the thousands of business trips that they take each year. *See id.*

## **2. State of the community's economy**

The Mayor of Loogootee in Martin County reports that the economy has been in decline the past several years, but has been picking up recently.<sup>54</sup> A fifth bank recently moved in, and several small businesses have recently opened up in the area. It is hoped that The West Gate technology park (discussed earlier) will further improve the local economy. Unemployment in the county is average for the state. *See id.* at p. 138.

## **3. Economic Development**

Having Crane on Central Time also undermines two important economic development initiatives. *See id.* at pp. 127-28. First, The West Gate (discussed earlier in the Daviess County

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<sup>54</sup> The undersigned counsel interviewed the Mayor on August 1, 2006.

section above) will be located in parts of Greene, Daviess, and Martin Counties. *See id.* at p. 127. As matters stand now, Greene is on Eastern Time and Daviess and Martin Counties are on Central Time. *See id.* This hardly facilitates the attraction of businesses to the park. *See id.*

Second, Crane is collaborating with the state, the Indiana National Guard, and state universities with the goal of increasing the amount of Defense and Homeland Security business performed in Indiana. *See id.* at p. 128. The core idea is to offer an unmatched set of linked capabilities for research, technology development, testing, and training. *See id.* The locations contributing to this capability includes Crane, Camp Atterbury, Muscatatuck Urban Training Center, Jefferson Proving Ground, Terre Haute Air National Guard Base, Purdue University, and Indiana University. *See id.* All of these locations, with exception of Crane, are currently on Eastern Time. This is more than a simple inconvenience—it greatly complicates operations that, for example, involve a training mission at Camp Atterbury with systems that are being controlled and monitored at Crane. *See id.*

## **E. Pike County**

### **1. Major elements of the community's economy**

#### **✓ Business & industry**

Pike County business and industry historically has been tied to coal mining and power generation (and to a lesser extent timber) and the industries that support them. *See Exhibits pp. 19-20; see also id.* at pp. 141-42 (coal deposit maps). Principal among these supporting industries are fabricating, welding, and shipping (both rail and over the road). *See id.* at p. 19.

Solar Sources Inc. has operated a number of coal mines in southwest Indiana for the past twenty-plus years. *See id.* Solar Sources is headquartered in Indianapolis, and it also has an office in Petersburg (Pike County) which handles the day-to-day operations of Solar Sources' active mines. *See id.* With mines located in both the Central (Petersburg) and Eastern (Indianapolis) Time Zones, time and dollars spent coordinating shipping and receiving coal and supplies back and forth across the time lines have increased. *See id.* The issue of scheduling for Solar Sources would become even worse should the USDOT not permit Pike County to shift to the Eastern Time Zone with the other Petitioning Counties. *See id.* Currently, Solar Sources operates mines near Cannelburg in Daviess County (one of the other Petitioning Counties) and Terre Haute (which is already on Eastern Time). *See id.* Solar Sources is also opening a new mine in Dubois County (also a Petitioning County) near the Town of Ireland and hopes to open a mine in Pike County within the next 12-24 months. *See id.* Thus, scheduling and shipping problems will only become magnified over time if Pike County is kept on Central Time. *See id.*

Virtually any company that does business with the coal mines, particularly trucking companies, has the same scheduling and shipping problems. *See id.* at p. 20. Elmer Buchta Trucking is a Pike County firm which operates between 100-200 trucks per day, hauling coal from mines to end users or other shipping points. *See id.* Some of these trucks make four to six complete mine-to-power plant circuits in a day's time. *See id.* The owner, Elmer Buchta, reports that scheduling trucks back and forth across the existing time zones is tough enough, but that

should Pike County not move with the other Petitioning Counties, it would become even more costly and difficult for his firm. *See id.*

Because Pike County is not home to any companies that manufacture lubricants, mine supplies, fuels, heavy equipment, etc., all of these materials must be imported. *See id.* It is the same for the limited number of retailers located in the county. *See id.* Not all of the goods shipped into the county come from the Eastern Time Zone, but many do. *See id.* For example, the heavy equipment used by Pike County companies comes from McCallister, which is in Indianapolis and, thus, on Eastern Time. *See id.*

✓ County workforce

Pike County's workforce has historically been tied to the coal industry. *See id.* Since the 1970s, however, increasingly stringent air pollution regulations combined with a decreasing demand for the high sulfur coal that is mined locally has caused a dramatic shift in workforce patterns. *See id.* As mines closed, the workforce has had to travel outside the county to find employment. As noted earlier, many of those commuting outside the county for work go to Knox, Daviess, or Dubois Counties (Petitioners all). *See id.* An additional 500 or so employees commute *into* Pike County from these same three counties. Many of the manufacturers in Dubois County have a non-standard shift which begins between 6:00 and 6:30 a.m. *See id.* Should the USDOT not permit Pike County to shift times with the other four Petitioning Counties, households in which both parents work will find it difficult (if not impossible) to manage school, childcare, healthcare, and work: Dubois County's 6:00 a.m. would be Pike County's 5:00 a.m. *See id.*

✓ Retail

Pike County is a part of a regional economy. *See id.* Residents must leave the county to purchase most staples. *See id.* While the county has a small retailer that carries some clothing, most clothing is purchased elsewhere. *See id.* Jasper (in Dubois County), Washington (in Daviess County) and, Vincennes (in Knox County) all see a large share of Pike County shoppers. *See id.*

✓ Major roads

1. SR 64
2. SR 61
3. SR 57

*See id.* at p. 21.

**2. State of the community's economy**

See above under "County workforce." Unemployment in the county is slightly below average for the state. *See id.* at p. 144.

### 3. Economic development

The Pike County Growth and Development Council is an economic development organization which aims to attract and retain business and industry. *See id.* at p. 19. Additional efforts include working with various educational institutions, ranging from the county-level school corporation to the universities located in southern Indiana, to developing and promoting workforce preparation and improvement strategies and programs. *See id.* The Growth and Development Council works closely with two other regional planning and development organizations: the Indiana 15 Regional Planning Commission<sup>55</sup> and the Four Rivers Resource Conservation and Development Area<sup>56</sup>. *See id.*

A major economic development initiative that is currently in the planning stages and which will benefit Pike County is the development of several coal gasification plants and projects in and around Knox County. "Gasification" is the process of extracting energy from high-sulfur coal to generate electricity, synthetic natural gas, and liquid fuels. Much of the coal mined in Pike County is high in sulfur content, and it cannot be burned at a traditional power generation plant under current EPA regulations. The gasification plants would make use of this otherwise under-utilized resource, in turn creating an affordable source of energy for residents statewide.<sup>57</sup> The convenience of commerce is best served by placing coal mines on the same time as the coal-powered generation facilities that the mines supply.

#### 8. *If residents leave the community for schooling, recreation, healthcare, or religious worship, what standard of time is observed in the places where they go for these purposes?*

##### A. Schooling

There are no school districts in the Petitioning Counties that are in more than one time zone. *See Exhibits* p. 147. Schools in these districts do, however, have to cross time zones to participate in sporting events. For example, North Daviess Community Schools is a member of the Southwest Athletic Conference, and all of the schools in that conference—except Daviess Community—are on Eastern Time. *See id.* at p. 148. As a consequence, many away games have to be played in counties that are already in the Eastern Time Zone.<sup>58</sup> *See id.* Brad Case, the Superintendent of the South Knox School Corporation, similarly reports that most of the athletic

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<sup>55</sup> For more information on the Indiana 15 Regional Planning Commission see [www.ind15rpc.org](http://www.ind15rpc.org).

<sup>56</sup> For more information on the Four Rivers Resource Conservation and Development Area see [www.fourriversrcd.org](http://www.fourriversrcd.org).

<sup>57</sup> More on coal gasification can be found at [www.clean-energy.us/index.php](http://www.clean-energy.us/index.php).

<sup>58</sup> North Daviess' upcoming football schedule can be found at [www.ihsaa.org/b-football\\_frame.htm](http://www.ihsaa.org/b-football_frame.htm). Some of the games on the schedule will be with schools in Sullivan and Greene Counties, which are on Eastern time.

events with his schools are with schools in the Petitioning Counties, which counsels in favor of moving the Petitioning Counties together to Eastern time.<sup>59</sup>

Students who attend vocational schools would also benefit from their counties being switched to Eastern Time. For instance, Mr. Case reports that the Twin Rivers Vocational School, which is a cooperative between school corporations in Knox County (a Petitioning County) and Greene and Sullivan Counties (which are already on Eastern time), holds classes in all three counties, and thus in two different time zones. This creates scheduling difficulties for students who must travel back and forth across time zones just to go to classes. Tony Nonte, Superintendent of the Shoals Community School Corporation which is in Martin County, reports the same problem for students from his school corporation who attend a vocational education program in Lawrence County, which also is already on Eastern Time. *See id.* at p. 149.

## **B. Recreation**

Recreational facilities are distributed fairly evenly throughout the Petitioning Counties. *See id.* at p. 150. County residents therefore typically do not have to cross time zones to participate in a sporting activity. But if they want to go to a college game at one of the state's three major universities (Indiana University being the closest), they must cross into the Eastern Time Zone. Purdue and Notre Dame are in northern Indiana counties that are on Eastern time, and Indiana University is in the southern county of Monroe, which is also on Eastern time.

The time differential also poses a problem for people who travel to the Petitioning Counties for recreation. For example, about two-thirds of visitors to Dubois County come from north or east of the area. *See* at p. 105. This has caused confusion for visitors in the past. *See id.* Switching Dubois County to Eastern Time would alleviate this confusion, make it easier for the County Visitors Center to arrange group tours, and allow the Center to market Dubois County more effectively to people in Indianapolis. *See id.*

Outdoor recreational enthusiasts were strong advocates of daylight savings time when the issue was debated in the Indiana General Assembly. Chief among them were golfers. The Petitioning Counties have a number of golf courses that would benefit from the additional daylight provided by being in the Eastern Time Zone, including Washington Country Club and Country Oaks (Daviess County); Sultan's Run and Jasper Municipal (Dubois County); Elks Country Club, Vincennes Country Club, and Bicknell Country Club (in Knox County); Loogootee Lakeview Golf Course (in Martin County); and Pride's Creek Golf Course (in Pike County). *See id.* at pp. 151-52.

Having an extra hour of light at the end of the day would also benefit fishermen, boaters, tennis players—in short, anyone who would otherwise not have enough time to pursue their sport after work. Little leagues and soccer teams likewise could play later into the evening.

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<sup>59</sup> The undersigned counsel interviewed Brad Case by telephone on August 3, 2006.

**C. Healthcare**

**PRIMARY LOCAL HOSPITALS<sup>60</sup>**

<b>COUNTY</b>	<b>Nearby Hospitals</b>	<b>COUNTY WHERE HOSPITAL IS LOCATED/MILES TO</b>	<b>TIME ZONE IF PETITION IS GRANTED</b>
Daviess	Daviess Community	Daviess/ Within County	Eastern
	Good Samaritan	Knox/24 mi.	Eastern
	Memorial Hospital and Health Care Center	Dubois/24 mi.	Eastern
	Wirth Regional	Gibson/26 mi.	Central
Dubois	Memorial Hospital & Health Care Center	Dubois/ Within County	Eastern
	Deaconness St. Joseph	Dubois/Within County	Eastern
	Daviess Community	Daviess/25 mi.	Eastern
	Wirth Regional	Gibson/29 mi.	Central
Knox	Good Samaritan	Knox/ Within County	Eastern
	Daviess Community	Daviess/24 mi.	Eastern
	Gibson General	Gibson/24 mi.	Central
	Lawrence County Memorial	Lawrence/11 mi.	Eastern
Martin	Daviess Community	Daviess/19 mi.	Eastern
	Memorial Hospital & Health Center	Dubois/19 mi.	Eastern
	Deaconness St. Joseph	Dubois/26 mi.	Eastern

<sup>60</sup> The data in this chart was derived from City-Data.com. See Exhibits pp. 68, 70-73.

Pike	Wirth Regional	Gibson/13 mi.	Central
	Daviess Community	Daviess/14 mi.	Eastern
	Good Samaritan	Knox/20 mi.	Eastern

Being on a different time zone than some of the surrounding counties has negatively impacted Memorial Hospital & Health Center. *See Exhibits pp. 109-110.* 42% of its 130,000 outpatients, 50.5% of its 7,200 inpatients, and 46% of its 23,000 emergency patients come to the hospital from communities outside Dubois County. *See id.* Since the time zone change in April 2006, there has been much confusion among the patients and many appointments have been missed. *See id.*

The best and closest specialty hospitals are located in Indianapolis and Louisville, both on Eastern Time. For Indianapolis, the largest medical complex is owned by Clarian Health Partners, which includes Methodist Hospital (nationally regarded for the treatment of trauma-related injuries), Indiana University Medical Center (world renowned for the treatment of cancer), and Riley Hospital for Children (one of the top pediatric care facilities in the country).<sup>61</sup> As for Louisville, one of the main healthcare facilities is Jewish Hospital & St. Mary's Healthcare, which is ranked nationally for its heart care.<sup>62</sup> There are no comparable hospitals with world-renowned specialists and facilities located in the Petitioning Counties.

#### **D. Religious Worship**

The Petitioning Counties have been unable to gather any statistically meaningful data on the number of people who must cross time zones to attend religious gatherings. If anecdotal evidence is any guide, however, it seems clear that the majority of people worship in or near the same county in which they live. *See also Exhibits p. 150* (showing numerous places of worship in each of the Petitioning Counties).

### **III.**

#### **ADDITIONAL CONSIDERATIONS**

In addition to the facts outlined above, there are additional considerations that counsel in favor of concurrently transferring all of the Petitioning Counties to Eastern Time.

#### **A. Mail**

The mail for all five Petitioning Counties is processed in Terre Haute, Indiana, which is in the Eastern Time Zone. *See Exhibits p. 153.* Since these counties were placed on Central

<sup>61</sup> For more information on Clarian Health Partners see [www.clarian.org](http://www.clarian.org).

<sup>62</sup> For more information on Jewish Hospital see [www.jhhs.org](http://www.jhhs.org).

Time, problems have developed with mail service. *See id.* For example, because the Terre Haute facility is an hour ahead of the Petitioning Counties, several offices had to change the last pickup time on their collection boxes to an earlier time so the mail could get to Terre Haute in time to be processed for delivery the next day. *See id.* A representative of the U.S. Postal Service reports that several customers have complained, particularly business customers. *See id.* Putting the Petitioning Counties back on the same time zone as the Terre Haute sorting facility would be in keeping with the convenience of commerce.

## **B. Safety**

The Indiana Chamber of Commerce reports the following facts about how Eastern Daylight Savings time positively affects safety (*see Exhibits p. 1*):

- ✓ **Fact: More sunlight = Safety.** Eastern DST adds sunlight to each day. A 1985 Study by the US DOT showed more sunlight **reduces traffic fatalities by 7% annually (which equates to 58 lost loved ones in Indiana potentially being saved).**
- ✓ **Fact: Crime Reduction.** Eastern DST adds sunlight to each day. The above US DOT study showed that more sunlight **reduces crime by 10% annually (which equates to a reduction in almost 21,000 personal and property related crimes in Indiana annually).**
- ✓ **Fact: School Bus Safety.** A 32-year National Study of School Bus Safety done by the Kansas State DOE in 2003 shows that **90% of school bus-stop accidents occur in daylight.** Darkness in the morning at bus stops has not proven to be safety hazard.

## **C. Energy**

The Indiana Chamber of Commerce reports the following facts about how Eastern Daylight Savings time affects energy consumption (*see Exhibits p. 1*):

- ✓ **Fact: DST Saves Energy.** The California Energy Commission in 2001 found that the observance of DST would provide a 3-4% reduction in energy as people would be outside more (**which equates to \$617 million in energy savings in Indiana per year**).
- ✓ **Fact: Studies have shown that Daylight Savings Time in March and April would save the equivalent of 10,000 barrels of oil a day.**
- ✓ **Fact: People would be inside earlier in the day, and utilizing utilities earlier—hence, the savings would not be possible, and in fact, would more than likely increase the amount by [3-4%].**



#### IV.

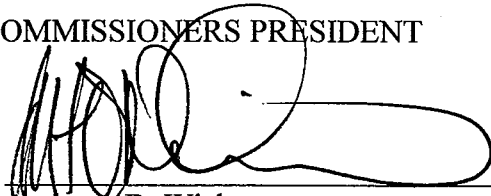
#### CONCLUSION


Concurrently transferring the Petitioning Counties from the Central Time Zone to the Eastern Time Zone will best serve "the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce . . . ." The Petitioning Counties therefore respectfully request the USDOT to take the following action:

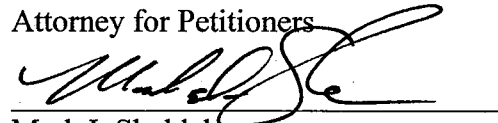
- (a) Determine that the Petitioning Counties have made the requisite *prima facie* showing to change to the Eastern Time Zone;
- (b) Issue a Notice of Proposed Rulemaking to solicit public comment; and
- (c) Promptly grant this Petition by issuing a Final Rule after the notice and comment period has elapsed with an effective date of no later than midnight, January 1, 2007.

Respectfully submitted this 4th day of August, 2006,

BOARD OF DAVIESS COUNTY COMMISSIONERS PRESIDENT

  
Anthony D. Wichman

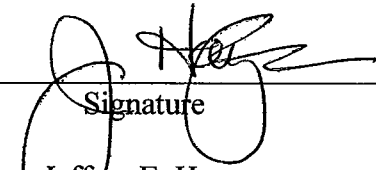
  
Brian J. Paul  
Attorney for Petitioners

  
Mark I. Shublak  
Attorney for Petitioners

STATE OF INDIANA       )  
                                  )  
COUNTY OF DAVIESS    )       SS:

Before me, a Notary Public, in and for said County and State, personally appeared, Anthony D Wichman, who, having been duly sworn, acknowledged the execution of the above and foregoing Petition this 4th day of August, 2006.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

  
\_\_\_\_\_  
Signature  
Jeffrey E. Hayes  
Notary Public

My Commission Expires:

4-10-2007

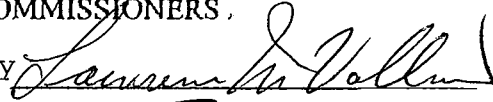
My County of Residence: Daviess

Daviess County, Indiana

Respectfully submitted this 7<sup>th</sup> day of August, 2006,

BOARD OF DUBOIS COUNTY COMMISSIONERS.

By



Brian J. Paul

Attorney for Petitioners



Mark I. Shublak

Attorney for Petitioners

STATE OF INDIANA     )  
                                  )  
COUNTY OF DUBOIS    )

SS:

Before me, a Notary Public, in and for said County and State, personally appeared, the above captioned Petitioners who, having been duly sworn, acknowledged the execution of the above and foregoing Petition this 7<sup>th</sup> day of August, 2006.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Signature

Arthur C. Nordhoff Jr

Printed

Notary Public

My Commission Expires:

Sept. 1, 2008

My County of Residence:

Dubois County, Indiana

BOARD OF KNOX COUNTY COMMISSIONERS PRESIDENT

James Bohe

Mark I. Shublak  
Attorney for Petitioners

Before me, a Notary Public, in and for said County and State, personally appeared, the above captioned Petitioners who, having been duly sworn, acknowledged the execution of the above and foregoing Petition this 9<sup>th</sup> day of August, 2006.

Cynthia L. Mengedahl  
Signature

Cynthia L. Mengedoh  
Printed Notary Public

11-2-11

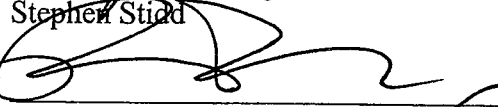
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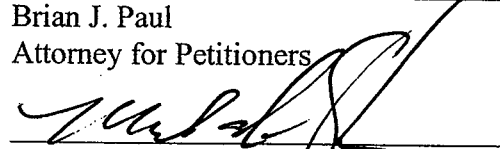


Respectfully submitted this 27<sup>th</sup> day of August, 2006,

BOARD OF PIKE COUNTY COMMISSIONERS PRESIDENT

  
Stephen Stidd

  
Brian J. Paul  
Attorney for Petitioners

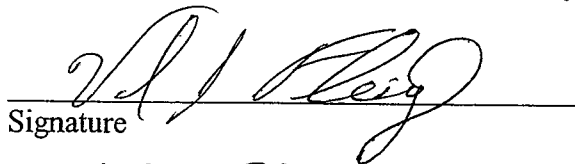
  
Mark I. Shublak  
Attorney for Petitioners

STATE OF INDIANA )  
COUNTY OF PIKE )

SS:

Before me, a Notary Public, in and for said County and State, personally appeared, the above captioned Petitioners who, having been duly sworn, acknowledged the execution of the above and foregoing Petition this 27<sup>th</sup> day of August, 2006.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

  
Signature  
Val J. Fleig  
Printed Notary Public

My Commission Expires:

11/17/2013

My County of Residence:

Pike County, Indiana